

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Henry Dale Kirby

Docket No. 263355

LC No. 99-011308

Michael J. Talbot  
Presiding Judge

E. Thomas Fitzgerald

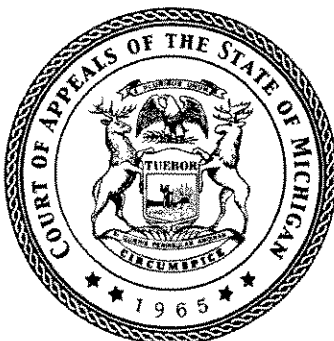
Michael R. Smolenski  
Judges

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The Court orders that the motion to remand for an evidentiary hearing is DENIED.

The motion to remand for appointment of counsel is DENIED.

The application for leave to appeal is DENIED for failure to meet the burden of establishing entitlement to relief under MCR 6.508(D).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN - 6 2006

Date

*Sandra Schultz Mengel*  
Chief Clerk